

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION

ROSA ROHLOFF

PLAINTIFF

V.

CIVIL ACTION NO.
2:07-CV-79-B-A

BARDEN DEVELOPMENT, INC.
d/b/a FITZGERALDS CASINO/HOTEL TUNICA,
MISSISSIPPI, THE MAJESTIC STAR CASINO, LLC
BARDEN MISSISSIPPI GAMING LLC
d/b/a "FITZGERALDS TUNICA"
JOHN DOE AND PERSONS

DEFENDANTS

ORDER

Plaintiff Rohloff requests the court to reconsider the imposition of a two-hundred fifty dollar (\$250.00) fine for failure of plaintiff's counsel to appear at the final pretrial conference in this case on July 2, 2008. [docket no. 60]. Under RULE 16.2(F)(1) of the UNIFORM LOCAL RULES OF THE UNITED STATES DISTRICT COURTS FOR THE NORTHERN DISTRICT OF MISSISSIPPI AND THE SOUTHERN DISTRICT OF MISSISSIPPI, "all scheduled conferences shall be attended by counsel of record." (Emphasis added.). Failure to comply with this requirement may result in a judgment of default or dismissal of the action, any other appropriate judgment or the imposition of sanctions. *See* RULE 16.2(F)(1). This requirement is mandatory and a responsibility of the attorney of record that is not to be taken lightly. Further, plaintiff's counsel appears to have misunderstood the court's order regarding sanctions; the fine is to be paid by counsel of record, Olufemi Salu and *not* the plaintiff Rohloff. It was Mr. Salu's responsibility, not plaintiff's, to appear before the undersigned at the mandatory pretrial conference on July 2, 2008; consequently the fine imposed is also his responsibility. Failure to timely submit such amount may result in additional sanctions imposed against Mr. Salu. For these reasons, it is

ORDERED

That the plaintiff's motion to reconsider is DENIED. Mr. Salu shall remit the two-hundred fifty dollar (\$250.00) fine to the clerk of court no later than August 8, 2008.

This the 23rd day of July, 2008.

/s/ S. ALLAN ALEXANDER
U.S. MAGISTRATE JUDGE